

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ERIC R. BAHE, Custodian, CGM Roth
Conversion IRA,

Plaintiff,

v.

FRANKLIN/TEMPLETON DISTRIBUTORS,
INC., and WILLIAM J. LIPPMAN,

Defendants, and

FRANKLIN BALANCE SHEET INVESTMENT
FUND,

Nominal Defendant.

Civil Action No. 04-11195 (MLW)

**PROPOSED NOTICE PURSUANT TO THE COURT'S ORDER
OF SEPTEMBER 8, 2006**

Pursuant to the Court's Order of September 8, 2006, the Plaintiff hereby submits the text of the Proposed Notice to be published in the *Investor's Business Daily* as Exhibit A and the Press Release to be issued in the Business Wire as Exhibit B.¹

Plaintiff respectfully requests that the Court approve the issuance of those Notices and enter the [Proposed] Order submitted herewith.

¹ Plaintiff advises the Court that the name and number of this case in the Press Release is not in bold because Business Wire does not provide for the issuer of a Press Release to put portions of a Press Release in bold type.

Dated: September 12, 2006

Respectfully submitted,

Plaintiff Eric R. Bahe
by his Attorneys,

/s/ Edward F. Haber

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Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants on the 12th day of September, 2006.

/s/ Edward F. Haber

Edward F. Haber